

United States District Court
Western District Pennsylvania
Erie PA 16501.

DERRICK RANKINE

C.A#03-313ERIE.

Vs.

Superintendent Sobina et al.

To The Chief Justice and Judges of Said Court.
Plaintiff, DERRICK RANKINE, now swears under oath
and the penalty of perjury, pursuant to 18 U.S.C.A
§ 1746, that on April 28, 2006, After the status hear-
ing the Plaintiff checked Plaintiffs record and found
that:

- a) Plaintiff did attempted to served all 35 named de-
fendants in Plaintiffs supplemental complaints and
these defendants refused to accepted service
and instructed Plaintiff to send their complaints to
"their lawyer!"
- b) Plaintiff then mailed their complaints to the defend-
ants counsel and Secretary Jeffery Beard.
- c) Plaintiff then contacted the United States Mar-
shall's Service to have the Subpoenas served on
the defendants and the Marshall's Service informed
Plaintiff that the Marshall Service cannot served the
Supplemental Complaints without an order from Judge
Baxter to make such service.
- d) Plaintiff then mailed a number of requests to this
Court to have the Marshall Service served the defend-
ants which the Court have not done as yet.

(2) So the Failure to SERVED the defendants is not the Plaintiffs fault but this Courts.

Since Plaintiff is proceeding in Forma Pauperis and Plaintiff is a pro se prisoner, it is the Courts responsibility to make sure an order is issue to the Marshalls Service to SERVED PROCESS ON all defendants in Plaintiffs supplemental complaints once the Complaints are received by the Court. *Garvin v City of Philadelphia* 354 F.2d 215, 220 (C.A.3 PA 2003).

Moreover, a motion to Supplement a complaint should be freely granted by the Court, especially when the defendants retaliated against the Plaintiff for filing the original complaint as in this case. *Id Foreman v Davis* 371 U.S. 178 182-183, 83 S.Ct. 227 (1962).

Wherefore, Plaintiff prays that the Court would issue an order to have the UNSERVED defendants SERVED by the United States Marshall. So let it be done.

Respectfully Submitted.
Demick Rankine

EU 5850

SCI-FAYETTE

P.O. Box 9999

Labelle PA 15450

FILED

06 MAY -4 10:31

CLERK
U.S. DISTRICT COURT

04/28/06.

United States District Court
Western Pennsylvania.

DERRICK RANKINE

CA#03-313ERIE.

VS.

Superintendent Gobina et al.

PROOF OF SERVICE and VERIFICATION.

Plaintiff, DERRICK RANKINE, SWEARS under oath and the penalty of perjury pursuant to 18 USC § 1746, that all statements made in the within motion are true and that a copy of the within motion is been mailed to Mr. Kamal Mericill, 564 Forbes Avenue, Manor Complex, Pittsburgh PA 15219, today MAY 2, 2006.

This copy was given to CIO NELSON in a sealed envelope on MAY 2, 2006 by Plaintiff to be mailed, with discovery requests.

FILED

'06 MAY -4 AIO:31

CLERK
U.S. DISTRICT COURT

Respectfully Submitted
Derrick Rankine

EU5850

SCI-FAYETTE

P.O. BOX 9999

LABELLE PA 15450

MAY 2 2006.